

REFERENCE TITLE: dental insurance; coordination of benefits

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1418

Introduced by
Senator Verschoor

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-847; AMENDING SECTION 20-1019, ARIZONA REVISED STATUTES; RELATING TO COORDINATION OF DENTAL BENEFITS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 20-847, to read:

4 20-847. Dental service corporations; notice; coordination of
5 benefits

6 A. A DENTAL SERVICE CORPORATION SHALL SPECIFY IN ITS CONTRACTS WITH
7 PROVIDERS AND SUBSCRIBERS HOW THE CORPORATION COORDINATES CLAIMS PAYMENTS
8 WITH ONE OR MORE HEALTH CARE BENEFIT PLANS COVERING THE SUBSCRIBER.

9 B. A DENTAL SERVICE CORPORATION SHALL PAY FULL BENEFITS ACCORDING TO
10 ITS SUBSCRIPTION CONTRACT WITH THE SUBSCRIBER IF THE CORPORATION IS PRIMARILY
11 RESPONSIBLE TO PAY BENEFITS AND IS COORDINATING ITS BENEFITS WITH ONE OR MORE
12 CARRIERS THAT ARE SECONDARILY RESPONSIBLE. A CARRIER THAT IS SECONDARILY
13 RESPONSIBLE TO PAY A CLAIM SHALL PAY ANY COST TO THE SUBSCRIBER OR TO THE
14 PROVIDER AFTER PAYMENT HAS BEEN MADE BY THE PRIMARY CARRIER, NOT TO EXCEED
15 THE CONTRACT'S ALLOWANCE OF BENEFIT IN THE SUBSCRIBER'S CONTRACT OR THE FULL
16 FEE FOR THE PROVIDED SERVICE, WHICHEVER IS LESS.

17 Sec. 2. Section 20-1019, Arizona Revised Statutes, is amended to read:

18 20-1019. Order of benefit determination for dental care;
19 notice; coordination of benefits

20 A. If a person receiving dental care is a member of a prepaid dental
21 plan and is an insured or certificate holder under an indemnity health
22 insurance policy ~~which~~ THAT provides benefits for the same treatment as the
23 person's prepaid dental plan, the indemnity health insurance policy, if
24 issued after ~~the effective date of this section~~ SEPTEMBER 15, 1989, shall pay
25 benefits to its insured or certificate holder or the assignee thereof without
26 regard to the existence of the prepaid dental plan.

27 B. Notwithstanding subsection A, the indemnity plan insurer is not
28 obligated to pay any amount for a procedure covered without charge to the
29 member of the prepaid dental plan or to pay in excess of the amount of the
30 member's obligation under the prepaid dental plan.

31 C. ~~In the event that~~ IF the member's copayment obligation under the
32 prepaid dental plan has been met, ~~then~~ the indemnity insurer shall remit any
33 payments due under this section directly to its insured or certificate
34 holder.

35 D. A PREPAID DENTAL PLAN ORGANIZATION SHALL SPECIFY IN ITS CONTRACTS
36 WITH PROVIDERS AND ENROLLEES HOW THE ORGANIZATION COORDINATES CLAIMS PAYMENTS
37 WITH ONE OR MORE HEALTH CARE BENEFIT PLANS COVERING THE ENROLLEE.

38 E. A PREPAID DENTAL PLAN ORGANIZATION SHALL PAY FULL BENEFITS
39 ACCORDING TO ITS CONTRACT WITH THE ENROLLEE IF THE ORGANIZATION IS PRIMARILY
40 RESPONSIBLE TO PAY BENEFITS AND IS COORDINATING ITS BENEFITS WITH ONE OR MORE
41 CARRIERS THAT ARE SECONDARILY RESPONSIBLE. A CARRIER THAT IS SECONDARILY
42 RESPONSIBLE TO PAY A CLAIM SHALL PAY ANY COST TO THE ENROLLEE OR TO THE
43 PROVIDER AFTER PAYMENT HAS BEEN MADE BY THE PRIMARY CARRIER, NOT TO EXCEED
44 THE PLAN'S ALLOWANCE OF BENEFIT IN THE ENROLLEE'S CONTRACT OR THE FULL FEE
45 FOR THE PROVIDED SERVICE, WHICHEVER IS LESS.

46 ~~D.~~ F. The director may adopt rules to enforce this section.